

CHAPTER 90: ABANDONED VEHICLES

Section

- 90.01 Definitions
- 90.02 Abandonment of motor vehicles on public streets
- 90.03 Exterior storage of nonoperating vehicles
- 90.04 Removal and disposal of junked and abandoned motor vehicles

90.99 Penalty

§ 90.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ABANDONED MOTOR VEHICLE. One that:

- (1) Has been left upon a street or highway in violation of a law or ordinance prohibiting parking;
- (2) Is left on property owned or operated by the town for longer than 24 hours;
- (3) Is left on private property without the consent of the owner, occupant, or lessee thereof for longer than two hours; or
- (4) Is left on any public street or highway for longer than seven days.

JUNKED MOTOR VEHICLE. A motor vehicle that:

- (1) Is partially dismantled or wrecked;
- (2) Cannot be self-propelled or moved in the manner in which it was originally intended to move;
- (3) Is more than five years old and worth less than \$100 or is more than five years old and worth less than \$500 dollars as provided by the municipality in an ordinance adopted under this section; or

- (4) Does not display a current license plate and state motor vehicle inspection.

MOTOR VEHICLE. Includes all machines designed or intended to travel over land or water by self-propulsion or while attached to any self-propelled vehicle.
(G.S. § 160A-303(b)) (Ord. 504, passed 3-14-83; Am. Ord. passed 6-13-05)

§ 90.02 ABANDONMENT OF MOTOR VEHICLES ON PUBLIC STREETS.

It shall be unlawful for any person to abandon any motor vehicle on the public streets or rights-of-way of public streets within the town, or on private or public property within the town.
(G.S. § 160A-303(a)) (Ord. 504, passed 3-14-83) Penalty, see § 90.99

§ 90.03 EXTERIOR STORAGE OF NONOPERATING VEHICLES.

(A) No person in charge of or in control of premises, whether as owner, lessee, tenant, occupant or otherwise, shall allow any partially dismantled, wrecked, junked, discarded or otherwise nonoperating motor vehicle to remain on such property longer than 30 days; and no person shall leave any such vehicle on any property within the city for a longer time than 30 days; except that this section shall not apply with regard to any vehicle in an enclosed building or so located upon the premises as not to be readily visible from any public place or from any surrounding private property.

(B) This section shall further not apply with regard to any vehicle on the premises of a business enterprise operated in a lawful place, other than in a residential district, and operated in a lawful manner, when the keeping or maintenance of such vehicle is necessary to the operation of such business enterprise; or with regard to a vehicle in an appropriate storage place or depository maintained in a lawful place and manner by the town or any other public agency or entity.
(Ord. 507, passed 10-14-85) Penalty, see § 90.99

§ 90.04 REMOVAL AND DISPOSAL OF JUNKED AND ABANDONED MOTOR VEHICLES.

This chapter may be enforced by removing and disposing of junked or abandoned motor vehicles according to the procedures prescribed in G.S. § 160A-303.

(Ord. 504, passed 3-14-83)

§ 90.99 PENALTY.

(A) (1) In addition to any other remedies cited in this code of ordinances for the enforcement of the provisions of this code of ordinances, the regulations and standards contained in this code of ordinances may be enforced through the issuance of citations by the designated town official. These citations shall be in the form of a civil penalty. The town may recover this penalty in a civil action in the nature of a debt if the offender does not pay the penalty within 72 hours after being cited for a violation. In addition, failure to pay the civil penalty within 72 hours may subject the violator to criminal charges. The following civil penalties are established for violations under this section:

(a) Warning citations: correct violation within ten days.

(b) First citation, \$25.

(c) Second citation for same offense, \$100.

(d) Third and subsequent citation for same offense, \$200.

(2) These civil penalties are in addition to any other penalties which may be imposed by a court for violation of the provisions of this code of ordinances.

(B) In addition to the foregoing enforcement provisions, this chapter may be enforced by any remedy provided in G.S. § 160A-175 including, but not limited to, all appropriate equitable remedies issued from a court of complete jurisdiction as provided in G.S. § 160A-175(e). This section specifically provides that each day's continuing violation shall be a separate and distinct offense.